

Remarks

Reconsideration of the Examiner's Action dated January 21, 2005 is requested.

Status of the Claims

The Examiner's Action addressed all of the applicants' pending claims, namely Claims 1 to 48, 50 to 56 and 58 to 115. Claims 2, 17, 18, 36, 46, 66, 86 to 89, 92, 93, 96, and 104 have been amended. No claims have been added. No claims have been cancelled.

Discussion of the § 112 Rejection in Paragraph 5. of the Action

Claims 2, 86 to 103 and 109 to 115 have been rejected under 35 U.S.C. § 112, second paragraph. It is submitted respectfully that this rejection has been overcome in view of the present claim amendments. Below are sub-paragraphs which correspond to the subparagraphs of Paragraph 5. of the Action.

- a) The term --or-- has been added before the last moiety of the definition of X in Claim 2.
- b) The term "compromises" in the first line of Claim 86 has been deleted in favor of --comprises--.
- c) The term --and-- has been added before the last moiety of the definition of R₅ in Claim 86.
- d) The term --and-- has been added before the last moiety of the definition of R₅

in Claim 87.

- e) The term --and-- has been added before the last moiety of the definition of R₅ in Claim 88. Because Claim 88 is now in allowable form, Claim 90, which is dependent on Claim 88, should be in an allowable form also.
- f) The term --and-- has been added before the last moiety of the definition of R₅ in Claim 89. Because Claim 89 is now in allowable form, Claim 91, which is dependent on Claim 89, should be in an allowable form also.
- g) The term --and-- has been added before the last moiety of the definition of R₅ in Claim 92. Because Claim 92 is now in allowable form, Claim 94, which is dependent on Claim 92, should be in an allowable form also.
- h) The term --and-- has been added before the last moiety of the definition of R₅ in Claim 93. Because Claim 93 is now in allowable form, Claim 95, which is dependent on Claim 93, should be in an allowable form also.
- i) The term “or” preceding the moiety –CH(OR₇)–alkyl has been deleted in the definition of R in Claim 96. Furthermore, a semicolon after the term –CH(OR₇)–alkyl has been deleted in favor of a comma. Because Claim 96 is now in allowable form, Claims 97 to 103 and 109 to 115, which are dependent on Claim 96, should be in an allowable form also.

Other Amendments to Claims

The term “lower alkoxy” in the definition of R₉ in Claims 46 and 66 has been replaced with the term --alkoxy--. Both Claims 46 and 66 are based on portions of Claim 1 of the originally issued patent (see the Remarks Section of the Preliminary Amendment dated November 9, 2000, page 62, first full paragraph). The definition of R₉ in Claim 1 of applicants’ Preliminary Amendment inadvertently introduced the term “lower alkoxy” in place of “alkoxy” (see the Preliminary Amendment, page 4, next to last line); this was introduced also in Claims 46 and 66, which are amended herein. The term was amended in the June 6, 2002 Reply filed in response to December 14, 2001 Office Action (see paragraph 5. i) of the December 2001 Action) in Claim 1, but such amendment was not then made for Claims 46 and 66. In the present Reply, Claims 46 and 66 are now amended appropriately.

The term “, p as previously defined” has been added after the definition of Z₁ in Claim 66. Claim 66 is based on Claim 1 of the originally issued patent, which contains this term after the definition of Z₁.

The phrase “aryl is defined hereinafter” has been replaced by --aryl is as defined hereinafter-- for grammatical purposes in Claims 86 to 89, 92, and 93.

The term “methoxphenyl” in the chemical name in Claims 17 and 18 has been corrected to -- methoxyphenyl--.

The term “antipsychotic” has been replaced by --antipsychotic-- in Claim 36.

In Claim 104, the term --or-- has been added before the last moiety of the

Group Art Unit 1624
Reissue Application No. 09/712,129

May 18, 2005
Attorney Docket No. P25,984-A REI

definition of Y, and the term --and-- has been inserted before the last moiety of the definition of R.

Supplementary Reissue Oath/Declaration

Claims 1 to 58, 50 to 56 and 58 to 115 have been rejected under 35 U.S.C. § 251 in Paragraph 1. of the Action. Enclosed herewith are three identical copies of Supplementary Declarations for Reissue Patent Applications (form PTO/SB/51S) and Declaration –Additional Inventors (form PTO/SB/02A), each signed by the inventors as follows:

- (A) Joseph T. Strupczewski (signed March 16, 2005), Kenneth J. Bordeau (signed March 8, 2005), and Yulin Chiang (signed March 8, 2005);
- (B) Edward J. Glamkowski (signed March 9, 2005); and
- (C) Grover C. Helsley (signed March 8, 2005).

Conclusion

In view of the foregoing, applicants submit that the present application is in allowable condition and a notice to that effect is requested respectfully in an early and favorable Action.

In the event any matters remain outstanding, the Examiner is requested to call the undersigned at the telephone number listed below.

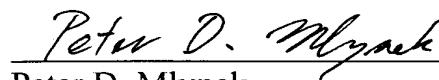
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Group Art Unit 1624
Reissue Application No. 09/712,129

May 18, 2005
Attorney Docket No. P25,984-A REI

A petition for a one-month extension is being filed concurrently herewith.

Respectfully submitted,
Synnestvedt & Lechner LLP


Peter D. Mlynek
Peter D. Mlynek
Registration No. 47,802

2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107
Telephone (215) 923-4466
Facsimile (215) 923-2189
PDM

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